

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN JONES,

Plaintiff,

v.

Case No. 2:10-cv-12114
District Judge Arthur J. Tarnow
Magistrate Judge Anthony P. Patti

PATRICIA BARNHART, *et al.*,

Defendants.

/

ORDER REOPENING DISCOVERY AND SETTING DEADLINES

Plaintiff, John Jones, initially filed this case without the assistance of counsel. (DE 1.) On October 15, 2015, the Court conditionally granted Plaintiff's motion to appoint counsel and referred the case to the Court's *pro bono* administrator to search for an attorney. (DE 107.) On May 4, 2016, an order of assignment of counsel was entered, naming Daniel E. Manville as Plaintiff's *pro bono* attorney. (DE 118.)

While this process was ongoing, Defendant Paula Mass filed a motion for summary judgment on February 16, 2016. (DE 109.) Plaintiff's response was initially due on April 4, 2016. (DE 113.) The Court granted Plaintiff's first request for extension of time in which to respond, making the new due date May 4, 2016. (DE 115.) On May 3, 2016, the Court granted Plaintiff's second request for

extension, and his response became due on or before June 6, 2016. (DE 117.) To date, Plaintiff has not responded to Defendant Mass's pending motion for summary judgment.

This matter came before me on a telephonic status conference on July 21, 2016, at which Mr. Manville appeared on behalf of Plaintiff, Clifton B. Schneider appeared on behalf of Defendant Patricia Barnhart, and Carly Van Thomme appeared on behalf of Defendant Paula Mass. Mr. Manville expressed that additional discovery would be necessary in order for him to respond to the pending motion for summary judgment. Mr. Schneider and Ms. Van Thomme were receptive to a brief re-opening of discovery, so long as they were entitled to depose Plaintiff during that time. In addition, Ms. Van Thomme agreed to withdraw Defendant Barnhart's pending motion for summary judgment at this time, to be refiled after discovery has closed. (DE 109.) As a result, the Court **ORDERS** the following:

1. Discovery shall be reopened until **OCTOBER 20, 2016**. During that time, *inter alia*, Defendants Barnhart and Mass, through their counsel, may depose Plaintiff, John Jones, at the Thumb Correctional Facility.
2. The dispositive motion cut-off will be extended to **NOVEMBER 21, 2016**. Both remaining Defendants are entitled to file dispositive motions (despite

Defendant Barnhart having filed two previous motions for summary judgment) by this date.

3. If the case survives dispositive motion practice, a settlement and final pretrial conference shall be held between February 15, 2017 and March 15, 2017.
4. This case shall be ready for trial by March 31, 2017.

IT IS SO ORDERED.

Dated: July 22, 2016

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on July 22, 2016, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti